

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK





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ARCHER CAPITAL MASTER FUND, L.P., et al.,	:	
	:	
Plaintiffs,	:	
	:	16 Civ. 5471 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
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ATLAS MASTER FUND, LTD., et al.,	:	
	:	
Plaintiffs,	:	
	:	15 Civ. 5475 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
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FIR TREE CAPITAL OPPORTUNITY MASTER	:	
FUND, L.P., et al.,	:	
	:	
Plaintiffs,	:	
	:	17 Civ. 4975 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs' motion for partial summary judgment is denied with leave to refile at the close of discovery. The motion is premature in the context of the related litigation. Granting plaintiffs' motion would not fully resolve any claim, remove any defendant, or advance the

litigation in any meaningful way that plaintiffs have articulated. Identical issues are still being litigated by the class plaintiffs, and considering the motion will invite piecemeal motion practice, wasting the parties' and the Court's resources. The clerk shall terminate the motion (ECF 158).

SO ORDERED.

Dated: July 11, 2018  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge